

NOTICE OF OBJECTION TO CONFIRMATION

DITECH FINANCIAL LLC has filed papers with the Court to object to the Confirmation of the Chapter 13 Plan.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)

If you do not want the Court to object to the Confirmation of the Chapter 13 Plan, or if you want the Court to consider your views on the Objection, then on or before, you or your attorney must:

1. File with the Court an answer, explaining your position at:

**Clerk
U.S. Bankruptcy Court
50 Walnut Street, 3rd Floor
Newark, NJ 07102**

If you mail your response to the Court for filing, you must mail it early enough so that the Court will *receive* it on or before the date stated above.

You must also mail a copy to:

Phelan Hallinan Diamond & Jones, PC
400 Fellowship Road, Suite 100
Mt. Laurel, NJ 08054

MARIE-ANN GREENBERG, Trustee
30 TWO BRIDGES ROAD, SUITE 330
FAIRFIELD, NJ 07004

2. Attend the hearing scheduled to be held on 10/25/2017 in the NEWARK Bankruptcy Court, at the following address:

**U.S. Bankruptcy Court
50 Walnut Street, 3rd Floor
Newark, NJ 07102**

If you or your attorney do not make these steps, the Court may decide that you do not oppose the relief sought in the Objection and may enter an Order granting that relief.

Date: October 18, 2017

/s/ Nicholas V. Rogers
Nicholas V. Rogers, Esq.
Phelan Hallinan Diamond & Jones, PC
400 Fellowship Road, Suite 100
Mt. Laurel, NJ 08054
Tel: 856-813-5500 Ext. 42689
Fax: 856-813-5501
Email: nicholas.rogers@phelanhallinan.com

File No. 789652

Phelan Hallinan Diamond & Jones, PC
400 Fellowship Road
Mt. Laurel, NJ 08054
856-813-5500
FAX Number 856-813-5501
DITECH FINANCIAL LLC

In Re:

ANTHONY C. GORHAM A/K/A
ANTHONY GORHAM

Debtor

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEW JERSEY
NEWARK VICINAGE

Chapter 13

Case No. 17-10863 - SLM
Hearing Date: 10/25/2017

The undersigned, Phelan Hallinan Diamond & Jones, PC, attorneys for Secured Creditor, DITECH FINANCIAL LLC, the holder of a Mortgage on debtor residence located at 378 Valley Street #A1, South Orange, NJ 07079 hereby objects to the Confirmation of the debtor proposed Chapter 13 Plan on the following grounds:

1. On April 18, 2017, Secured Creditor filed a Proof of Claim listing pre-petition arrears in the amount of \$18,245.21. Debtor's Amended Chapter 13 Plan does not propose to cure arrears due to Secured Creditor's first mortgage lien through the plan.
2. The Debtors' Amended Chapter 13 Plan lists Secured Creditor under Part 4, Section D listing the scheduled debt as \$173,763.74 and the total collateral value as \$60,000.00. Debtor's Amended Chapter 13 Plan is attempting to cramdown Secured Creditor's secured first lien.
3. Secured Creditor objects to this treatment of its claim and the proposed valuation of the property under 11 U.S.C. §506., as it takes the position that the subject property value far exceeds that amount being claimed by the Debtor. Additionally, Secured Creditor objects to the proposed interest rate to be paid through the Chapter 13 cramdown, as the rate of 3.00% is below that of the subject note.
4. Secured Creditor requests the opportunity to conduct an appraisal of the subject property and have a Valuation Hearing scheduled, if needed.

WHEREFORE, DITECH FINANCIAL LLC respectfully requests that the Confirmation of Debtor Plan be denied.

/s/ Nicholas V. Rogers
Nicholas V. Rogers, Esq.
Phelan Hallinan Diamond & Jones, PC
400 Fellowship Road, Suite 100
Mt. Laurel, NJ 08054
Tel: 856-813-5500 Ext. 42689
Fax: 856-813-5501
Email: nicholas.rogers@phelanhallinan.com

Dated: October 18, 2017

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY
Caption in Compliance with D.N.J. LBR 9004-1(b)

789652
PHELAN HALLINAN DIAMOND & JONES, PC
400 Fellowship Road, Suite 100
Mt. Laurel, NJ 08054
856-813-5500
Attorneys for DITECH FINANCIAL LLC

In Re:

ANTHONY C. GORHAM

Case No: 17-10863 - SLM

Hearing Date: _____

Judge: STACEY L. MEISEL

Chapter: 13

CERTIFICATION OF SERVICE

1. I, MIGUEL ZAVALA:

☐ represent the _____ in the above-captioned matter.

☒ am the secretary/paralegal for Phelan Hallinan Diamond & Jones, PC, who represents DITECH FINANCIAL LLC in the above captioned matter.

☐ am the _____ in the above case and am representing myself.

2. On October 20, 2017 I sent a copy of the following pleadings and/or documents to the parties listed below:

Objection to Plan

3. I hereby certify under penalty of perjury that the above documents were sent using the mode of service indicated.

Dated: October 20, 2017

/s/ MIGUEL ZAVALA

MIGUEL ZAVALA

Name and Address of Party Served	Relationship of Party to the Case	Mode of Service
ANTHONY C. GORHAM PO BOX 581 SOUTH ORANGE, NJ 07079	Debtor	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other _____ (as authorized by the court *)
SCOTT E. TANNE, Esquire 4 CHATHAM ROAD SUMMIT, NJ 07901	Debtor's Attorney	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input checked="" type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other _____ (as authorized by the court *)
MARIE-ANN GREENBERG, Trustee 30 TWO BRIDGES ROAD SUITE 330 FAIRFIELD, NJ 07004	Trustee	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular Mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input checked="" type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other _____ (as authorized by the court *)

* May account for service by fax or other means as authorized by the court through the issuance of an Order Shortening Time.